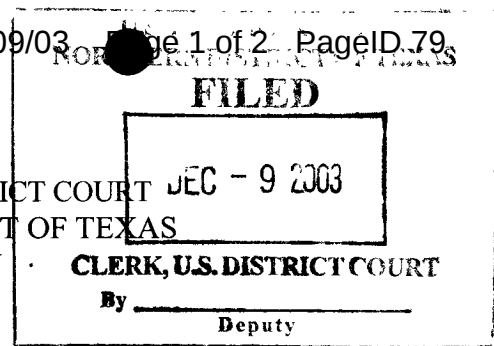


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



ROBERT N. GOLDSTEIN,
GOLDSTEIN/HABEEB
ENTERTAINMENT, INC., and
CHEATERS, LTD.,
Plaintiffs

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CAUSE NO. 03-CV-0266N

vs.

TOMMY HABEEB,
Defendant.

DEFENDANT'S WITNESS AND EXHIBIT LIST

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, Tommy Habeeb, Defendant, and presents this list of witnesses and exhibits
for trial as follows:

I.
LIST OF WITNESSES

1. Tommy Habeeb will testify as to the relationship between the parties, the development of the Cheaters concept and program, and will otherwise testify as to defensive matters related to Plaintiff's claims. It is believed that Mr. Habeeb's testimony will take one day.
2. Robert Goldstein is expected to confirm the testimony of Habeeb. It is believed that Mr. Goldstein's testimony will take one day.

II.
LIST OF THE EXHIBITS

1. 8/25/1999 Shareholders Agreement;
2. The License Agreement;
3. 10/27/2000 Shareholders Agreement;

4. 11/28/2001 Email to Habeeb from Goldstein regarding revocation of license;
5. Cheater's, Ltd. Limited Partnership Agreement;
6. February, 2003 letter from Sorenson to limited partners.

Respectfully submitted,

BERGMAN & BIRD, L.L.P.

By: 

Andrew A. Bergman

State Bar No. 02196300

Paul A. Sartin

State Bar No. 24034668

4514 Travis Street, Suite 300

Dallas, Texas 75205

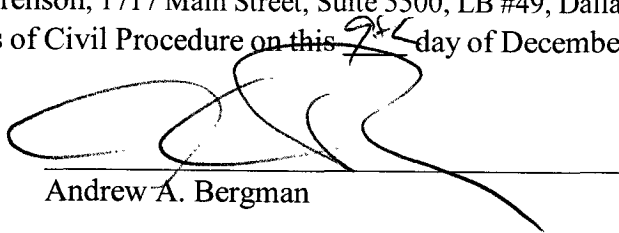
Telephone (214) 528-2444

Facsimile (214) 599-0602

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing Defendant's Witness and Exhibit List was served upon Timothy Sorenson, 1717 Main Street, Suite 5500, LB #49, Dallas, Texas 75201 in accordance with the Texas Rules of Civil Procedure on this 24 day of December, 2003.


Andrew A. Bergman